



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
January 7, 2002**

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01-02

DS:ds

The meeting was called to order at 9:35 a.m., with all Members being present, with the exception of Supervisor McConnell, and with Chairman Hanley presiding.

Supervisor McConnell arrived at 9:40 a.m.

Others present were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Christina M. Manning, Assistant to the County Executive; and Nancy Vehrs, Clerk to the Board of Supervisors.

BOARD MATTERS

1. **NEW YEAR WISHES** (Tape 1)

Chairman Hanley wished her colleagues and everyone a Happy New Year.

2. **MOMENT OF SILENCE** (Tape 1)

On behalf of Supervisor Gross and herself, Chairman Hanley asked everyone to remember in thoughts and prayers the family of Demosthenes William "Dan" Lecos, an important member of the community, who died recently.

Supervisor Hyland asked everyone to remember in thoughts and prayers the family of Warren Johnson, a former Mount Vernon District Representative to the Trails Committee who was also involved in the formation of the Mount Vernon Council of Citizens Association, who died recently.

Supervisor Hyland asked everyone to remember in thoughts and prayers the family of Yvonne Harbottle, who served on the United Community Ministries Board of Directors for several years, who died recently.

Supervisor Hudgins asked everyone to remember in thoughts and prayers the family of Barbara Jean Wallace, a former employee of Psychiatric Rehabilitation Services, and a very strong advocate for the mental and disabled community, who died recently.

AGENDA ITEMS

3. **PROCLAMATION DESIGNATING JANUARY AS “NATIONAL MENTORING MONTH” IN FAIRFAX COUNTY** (Tape 1)

Following discussion, with input from Anthony H. Griffin, County Executive, Supervisor Mendelsohn moved approval of the Proclamation designating January as “*National Mentoring Month*” in Fairfax County. Chairman Hanley seconded the motion and it carried by unanimous vote.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. ISAAC HO'OPI'I** (Tape 1)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to Mr. Isaac Ho'opi'i for his acts of heroism in response to the events of September 11. Supervisor Bulova and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

5. **CERTIFICATES OF RECOGNITION PRESENTED TO MR. CHRIS KNOTT AND MR. GILBERT NELSON** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to Mr. Chris Knodt of Lord of Life Lutheran Church for his participation in rebuilding a youth center in Bosnia. Supervisor McConnell seconded the motion.

Supervisor Bulova moved approval of the Certificate of Recognition presented to Mr. Gilbert Nelson of Lord of Life Lutheran Church for his participation in rebuilding a youth center in Bosnia. Supervisor Connolly and Supervisor McConnell jointly seconded the motion.

The question was called on the motion and it carried by unanimous vote.

6. **CERTIFICATES OF RECOGNITION PRESENTED TO MS. JACQUELINE SMITH AND MS. KATHY BENLI** (Tape 1)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to Ms. Jacqueline Smith for receiving the Department of Housing and Community

Development "Distinguished Community Service Award." Supervisor Gross and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

Supervisor Gross moved approval of the Certificate of Recognition presented to Ms. Kathy Benli for receiving the Department of Housing and Community Development "Distinguished Community Service Award." Supervisor Connolly and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

7. **RESOLUTION TO RECOGNIZE MR. JOHN PALATIELLO** (Tape 1)

Supervisor Mendelsohn moved adoption of the Resolution recognizing Mr. John Palatiello for his years of service as the Hunter Mill District Representative on the Planning Commission. Supervisor Hudgins seconded the motion and it carried by unanimous vote.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. BARBARA NAEF** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Ms. Barbara Naef for her years of service with the Fairfax County Park Authority. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

9. **CERTIFICATES OF RECOGNITION PRESENTED TO MS. CANDY BROWN, MS. RITA KAUFMAN, AND MS. SARAH WEST** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Certificates of Recognition presented to Ms. Candy Brown, Ms. Rita Kaufman, and Ms. Sarah West for their action in using a newly installed automated external defibrillator that resulted in saving a life. Vice-Chairman Hyland seconded the motion and it carried by a vote of eight, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

NV:nv

10. **10 A.M. – BOARD ORGANIZATION AND APPOINTMENTS OF BOARD MEMBERS TO VARIOUS REGIONAL AND INTERNAL BOARDS AND COMMITTEES** (Tape 1)

Supervisor Connolly moved the appointment of Supervisor Gerald W. Hyland as Vice-Chairman to the Board of Supervisors. Supervisor Bulova and Supervisor Hudgins jointly seconded the motion and it carried by a vote of nine, *Supervisor Mendelsohn being out of the room.

(*NOTE: Later in the meeting Supervisor Mendelsohn asked to be recorded as voting "AYE" on this motion. See Clerk's Summary Item CL#12.)

Supervisor Connolly moved approval of the list of Appointments of Board Members to Various Regional Agencies, Committees, and Subcommittees for Calendar Year 2001 as distributed. Supervisor Bulova seconded the motion.

Chairman Hanley announced that the vote on this motion would be deferred until a full Board was present at the dais.

(NOTE: Later in the meeting, the Board took action on the pending motion. See Clerk's Summary Item CL#12.)

ADDITIONAL BOARD MATTER

11. LEGISLATIVE ITEM (Tape 1)

Supervisor Hyland stated that he had received a copy of a fax sent by Supervisor Connolly to the Virginia Association of Counties (VACo) regarding VACo's position on legislation on accounting and how School Division property is held. He noted that the VACo Executive Committee would be discussing it on Wednesday, January 16, 2002, and a brief discussion ensued.

AGENDA ITEMS

12. CONTINUATION OF 10 A.M. – BOARD ORGANIZATION AND APPOINTMENTS OF BOARD MEMBERS TO VARIOUS REGIONAL AND INTERNAL BOARDS AND COMMITTEES (Tape 1)

(NOTE: Earlier in the meeting, the Board deferred action on this item. See Clerk's Summary Item CL#10.)

Upon his return to the dais, Chairman Hanley noted that Supervisor Mendelsohn had been called from the room to be sworn in as a member of the Chesapeake Bay Local Assistance Board.

Supervisor Mendelsohn asked unanimous consent to be recorded as voting "AYE" on the motion to appoint Supervisor Hyland as Vice-Chairman. Without objection, it was so ordered.

The question was called on the motion to approve the list of appointments and it carried by unanimous vote.

The entire list is as follows:

APPOINTMENTS OF BOARD MEMBERS TO VARIOUS REGIONAL AGENCIES, COMMITTEES, AND SUBCOMMITTEES FOR CALENDAR YEAR 2002

INTERJURISDICTIONAL COMMITTEES

ALEXANDRIA

Gerald Hyland - Chairman
Penelope Gross
Dana Kauffman

ARLINGTON

Penelope Gross - Chairman
Gerald Connolly
Stuart Mendelsohn

DISTRICT OF COLUMBIA

Katherine Hanley - Chairman
Gerald Connolly
Gerald Hyland
Dana Kauffman

FAIRFAX CITY

Gerald Connolly - Chairman
Sharon Bulova
Michael Frey
Katherine Hanley

FALLS CHURCH

Penelope Gross - Chairman
Gerald Connolly
Stuart Mendelsohn

FORT BELVOIR

Dana Kauffman - Chairman
Gerald Hyland
Katherine K. Hanley

HERNDON

Stuart Mendelsohn – Chairman
Catherine Hudgins

LOUDOUN COUNTY

Stuart Mendelsohn – Chairman
Michael Frey
Catherine Hudgins

PRINCE WILLIAM

(includes UOSA, City of Manassas, and City of Manassas Park)

Michael Frey – Chairman

Gerald Hyland

Elaine McConnell

INTERGOVERNMENTAL BOARDS AND COMMITTEES

(including Federal and State)

COMMUNITY CRIMINAL JUSTICE BOARD

Catherine Hudgins

**METROPOLITAN WASHINGTON COUNCIL OF
GOVERNMENTS (COG)**

COG BOARD OF DIRECTORS

Penelope Gross – Principal

Gerald Connolly – Principal

Catherine Hudgins– Principal

Sharon Bulova – Alternate

Michael Frey – Alternate

Dana Kauffman – Alternate

**COG METROPOLITAN WASHINGTON AIR QUALITY
COMMITTEE**

Dana Kauffman – Principal

Katherine Hanley – Principal

Sharon Bulova – Principal

Gerald Hyland – Alternate (for any member)

**COG COMMITTEE ON NOISE ABATEMENT AT
NATIONAL AND DULLES AIRPORTS**

Stuart Mendelsohn – Principal

Gerald Hyland – Principal

Michael Frey – Alternate (for either member)

COG CHESAPEAKE BAY POLICY COMMITTEE

Penelope Gross – Principal

Gerald Hyland – Principal

**COG HUMAN SERVICES AND PUBLIC SAFETY POLICY
COMMITTEE**

Penelope Gross – Principal

**COG METROPOLITAN DEVELOPMENT POLICY
COMMITTEE**

Michael Frey – Principal
Penelope Gross – Principal
Dana Kauffman – Principal

**COG TASK FORCE ON REGIONAL WATER SUPPLY
ISSUES**

Penelope Gross

COG TRANSPORTATION PLANNING BOARD

Katherine Hanley – Principal
Dana Kauffman – Principal
Gerald Connolly – Alternate
Stuart Mendelsohn – Alternate

ENDZONE PARTNERSHIP

Sharon Bulova

FAIRFAX PARTNERSHIP FOR YOUTH, INCORPORATED

Katherine Hanley
Stuart Mendelsohn

INOVA HEALTH SYSTEMS BOARD

Elaine McConnell

IHS HOSPITALS BOARD

Penelope Gross
Michael Frey

**LIAISON WITH CENTRAL FAIRFAX CHAMBER OF
COMMERCE**

Sharon Bulova

NORTHERN VIRGINIA REGIONAL COMMISSION (NVRC)

(Formerly the Northern Virginia Planning District Commission - NVPDC)

Sharon Bulova
Gerald Connolly
Penelope Gross
Catherine Hudgins
Katherine Hanley
Elaine McConnell
Stuart Mendelsohn

NORTHERN VIRGINIA TRANSPORTATION COMMISSION

(NVTC) (including WMATA and VRE Representatives)

Sharon Bulova – Principal (VRE Operation)

Gerald Connolly

Katherine Hanley – Alternate (WMATA)

Dana Kauffman – Principal (WMATA) and Principal (VRE
Operation)

Elaine McConnell – Principal (VRE Operation)

POTOMAC WATERSHED ROUNDTABLE

Penelope Gross

**ROUTE 28 HIGHWAY TRANSPORTATION IMPROVE-MENT
DISTRICT COMMISSION**

Katherine Hanley

Michael Frey

Catherine Hudgins

Stuart Mendelsohn

TRANSPORTATION COORDINATING COUNCIL (TCC)

Sharon Bulova

Gerald Connolly

Katherine Hanley

Catherine Hudgins

Gerald Hyland

Dana Kauffman

Stuart Mendelsohn

Elaine McConnell

**WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
(WMATA)** (Appointed by NVTC. The Board of Supervisors will make
recommendations for consideration.)

Dana Kauffman – Principal

Katherine Hanley – Alternate

VACo BOARD OF DIRECTORS (REGIONAL DIRECTORS)

Gerald Connolly

Penelope Gross

Catherine Hudgins

Stuart Mendelsohn

INTRAGOVERNMENTAL AND OTHER COMMITTEES

AUDIT COMMITTEE

Katherine Hanley – Chairman

Sharon Bulova

Elaine McConnell

BOARD PROCEDURES COMMITTEE

Gerald Connolly – Chairman
Stuart Mendelsohn

BUDGET POLICY COMMITTEE

(Committee of the Whole)
Sharon Bulova – Chairman
Elaine McConnell – Vice-Chairman

DEVELOPMENT PROCESS COMMITTEE

(Committee of the Whole)
Michael Frey – Chairman
Penelope Gross – Vice-Chairman

ECONOMIC ADVISORY COMMITTEE

Elaine McConnell – Chairman
Gerald Connolly
Catherine Hudgins

ENVIRONMENTAL COMMITTEE

(Committee of the Whole)
Stuart Mendelsohn – Chairman
Sharon Bulova – Vice-Chairman

FIRE COMMISSION

Gerald Hyland

GOVERNMENT REORGANIZATION COMMITTEE

(Committee of the Whole)
Gerald Connolly – Chairman
Stuart Mendelsohn – Vice-Chairman

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

(Committee of the Whole)
Dana Kauffman – Chairman
Catherine Hudgins – Vice-Chairman

HUMAN SERVICES COMMITTEE

(Committee of the Whole)
Catherine Hudgins – Chairman
Penelope Gross – Vice-Chairman

INFORMATION TECHNOLOGY COMMITTEE

(Committee of the Whole)
Katherine Hanley – Chairman
Catherine Hudgins – Vice-Chairman

LEGISLATIVE COMMITTEE

(Committee of the Whole)

Gerald Connolly – Chairman

PERSONNEL COMMITTEE

(Committee of the Whole)

Penelope Gross – Chairman

Stuart Mendelsohn – Vice-Chairman

REVITALIZATION COMMITTEE

Gerald Hyland – Chairman

Penelope Gross

Dana Kauffman

TRANSPORTATION COMMITTEE

(Committee of the Whole)

Elaine McConnell – Chairman

Catherine Hudgins – Vice-Chairman

DS:ds

13. **10:15 A.M. – PRESENTATION BY COX COMMUNICATIONS, INCORPORATED** (Tapes 2-3)

Claus Kroeger, Senior Vice President, Operations for the Eastern Division of Cox Communications, Incorporated, presented the report on current operations in the County.

Gary McCollum, Vice President and General Manager, Cox Communications Northern Virginia, provided input.

Supervisor Hudgins inquired as to the length of time needed to access private properties.

Following discussion, Mr. McCollum said that he would follow-up on this issue in writing.

Following further discussion, Supervisor Bulova moved that the Board direct staff to provide a summary of the issues that were discussed, and that the summary of issues be referred to the Consumer Protection Commission for discussion and recommendations for action. Supervisor Connolly seconded the motion.

Supervisor McConnell asked to amend the motion, that the Board direct staff to provide each Supervisor with a notice when a permit has been submitted in each district so the time framed can be followed to see how long it takes to complete the process, and this was accepted.

Chairman Hanley added that the Consumer Protection Commission should also be included in the distribution of said notices.

Chairman Hanley noted that the current cable service is a monopoly. She said the Telecommunications Act of 1996 has changed from what was originally in effect when Media General became operational in the County in 1983, and the current cable service is not an exclusive franchise because that is no longer permissible.

Chairman Hanley encouraged the Board Members to refer all calls they receive regarding cable issues to the Department of Cable Communications and Consumer Protection, so as to have some repository as to the number and type of calls received.

The question was called on the motion, as amended, and it carried by unanimous vote.

PW:pw

14. **ADMINISTRATIVE ITEMS** (Tapes 3-4)

Supervisor Connolly moved approval of the Administrative Items. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn being out of the room.

ADMIN 1 – BOARD OF SUPERVISORS' MEETING SCHEDULE FOR CALENDAR YEAR 2002

Adopted the Board of Supervisors meeting schedule for January through December 2002 as recommended by the County Executive in the Board Agenda Item dated January 7, 2002.

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE LEASING OF COUNTY-OWNED PROPERTY AT THE MASSEY BUILDING AT 4100 CHAIN BRIDGE ROAD TO THE NORTHERN VIRGINIA FM ASSOCIATION, INCORPORATED (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 25, 2002, at 3:30 p.m.** to consider the leasing of County-owned property at the Massey Building (Tax Map 57-4 ((01)) Parcel 14) at 4100 Chain Bridge Road to the Northern Virginia FM Association, Incorporated for the purpose of repeater stations to support amateur radio communications in the Washington DC Metro area.

ADMIN 3 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 98-L-063, MOBIL OIL CORPORATION (LEE DISTRICT)

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 98-L-063 to May 24, 2004, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 98-P-045, MANORCARE HEALTH SERVICES, INCORPORATED (PROVIDENCE DISTRICT)

- (AT) Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 98-P-045 to November 24, 2002, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 5 – ADOPTION OF A RESOLUTION APPROVING THE REVENUE NOTE AMENDMENT BY THE FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA) ON BEHALF OF ROUBIN ASSOCIATES, A VIRGINIA LIMITED LIABILITY PARTNERSHIP (PROVIDENCE DISTRICT)

- (R) Adopted the Resolution approving the amendment of the Interest Rate of a bond issue by EDA on behalf of the Note Purchase Agreement and Agreement of Sale between EDA and First Virginia Bank, as Escrow Agent and Roubin Associates, LLC.

ADMIN 6 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 89-C-027-7, SHOWBIZ PIZZA TIME, INCORPORATED D/B/A CHUCK E. CHEESE'S (HUNTER MILL DISTRICT)

- (AT) Approved the request for five months of additional time to commence construction for Special Exception Amendment Application SEA 89-C-027-7 to April 18, 2002, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON SEGMENTS OF BRADLEY ROAD (ROUTE 1210), SHREVE STREET (ROUTE 1020), LAMB STREET (ROUTE 1211), AND SUMMIT STREET (ROUTE 1021) (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 11, 2002, at 3:30 p.m.** to consider the vacation and abandonment of segments of Bradley Road (Route 1210), Shreve Street (Route 1020), Lamb Street (Route 1211), and Summit Street (Route 1021).

**ADMIN 8 – ABANDONMENT OF A PORTION OF BEULAH STREET
(LEE AND MOUNT VERNON DISTRICTS)**

- (R) Adopted the Resolution abandoning a portion of Beulah Street.

**ADMIN 9 – INSTALLATION OF MULTI-WAY STOPS AT VARIOUS
LOCATIONS (SPRINGFIELD DISTRICT)**

- Endorsed the installation of multi-way stops at the following locations:
 - Reservation Drive and Game Lord Drive
 - Cottontail Court and Game Lord Drive
 - Cottontail Court and Conservation Drive
- Directed staff to request the Virginia Department of Transportation to install these signs at the earliest possible date.

**ADMIN 10 – INSTALLATION OF "WATCH FOR CHILDREN" SIGN ON
CEDAR AVENUE (DRANESVILLE DISTRICT)**

- (R)
- Adopted the Resolution endorsing the installation of a "Watch for Children" on Cedar Avenue.
 - Directed staff to request the Virginia Department of Transportation install this sign at the earliest possible date.

**ADMIN 11 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02056 FOR THE JUVENILE AND DOMESTIC RELATIONS
DISTRICT COURT (JDRDC) TO ACCEPT JUVENILE
ACCOUNTABILITY INCENTIVE BLOCK GRANT (JAIBG) FUNDS TO
CONTINUE THE INTENSIVE SUPERVISION PROGRAM**

- (SAR) Approved SAR AS 02056 in the amount of \$171,351, reflecting \$154,216 in funds from the Department of Criminal Justice Services for the JAIBG program, and \$17,135 reflecting a required 10 percent local cash match. Funds will be used to continue the Intensive Supervision Program for serious and habitual offenders that was started the first year of JAIBG funding, to evaluate that program, and to engage in further needs assessment and strategic planning for the juvenile justice system in the County.

**ADMIN 12 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02054 FOR THE JUVENILE AND DOMESTIC RELATIONS
DISTRICT COURT (JDRDC) TO ACCEPT GRANT FUNDS FROM THE
VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS)
FOR THE 2nd NATIONAL TRAINING CONFERENCE ON JUVENILE
DETENTION REFORM**

- (SAR) Approved SAR AS 02054 in the amount of \$8,215 for JDRDC to accept grant funds from DCJS for the 2nd National Training Conference on Juvenile Detention Reform. No local cash match is required.

**ADMIN 13 – AUTHORIZATION FOR THE DEPARTMENT OF FAMILY
SERVICES (DFS) TO APPLY TO THE GERBER FOUNDATION FOR
GRANT FUNDS FOR THE ENHANCED CHILD ABUSE AND NEGLECT
PREVENTION PARENTING EDUCATION PROGRAM**

Authorized DFS to apply for The Gerber Foundation, Education and Training funds in the amount of \$335,655 to fund the Enhanced Child Abuse and Neglect Prevention Parenting Education Program.

**ADMIN 14 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02051 FOR THE CONTINUATION OF THE FEDERAL HEAD START
PROGRAM GRANT WITHIN THE DEPARTMENT OF FAMILY
SERVICES (DFS)**

- (SAR) Approved SAR AS 02051 in the amount of \$2,873,722 for DFS to continue the Federal Head Start Program grant. This includes \$2,634,200 from the US Department of Health and Human Services, and a local cash match of \$239,522. The remaining program costs of \$49,028 are met through the use of existing services and other non-cash contributions identified as an in-kind match.

15. **A-1 – PARTICIPATION OF FAIRFAX COUNTY IN THE VIRGINIA
STATEWIDE MUTUAL AID PROGRAM** (Tape 4)

- (R) On motion of Supervisor Bulova, seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn being out of the room, the Board concurred in the recommendation of staff and adopted the Resolution authorizing the participation of Fairfax County in the Virginia Statewide Mutual Aid Program.

16. **A-2 – AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) RELATING TO MAINTENANCE OF A ROAD OVER A DAM/CARRINGTON REGIONAL STORMWATER MANAGEMENT POND (DRANESVILLE DISTRICT)** (Tape 4)

On motion of Supervisor Hudgins, seconded by Supervisor Connolly, and carried by a vote of nine, Supervisor Mendelsohn being out of the room, the Board concurred in the recommendation of staff and authorized the County Executive to execute the agreement with VDOT relating to maintenance of a road over a dam/Carrington Regional Stormwater Management Pond. Execution of the agreement shall occur after the Department of Public Works and Environmental Services has determined that construction of the dam fully complies with the approved plans and specifications.

17. **A-3 – VIRGINIA DEPARTMENT OF TRANSPORTATION ENHANCEMENT PROGRAM PROJECTS FOR FISCAL YEAR 2003** (Tape 4)

(R) Supervisor Hudgins moved that the Board concur in the recommendation of staff and:

- Endorse the enhancement projects for which applicants have identified a source for the required minimum 20 percent match.
- Direct the County Executive to execute a Project Endorsement Resolution for each project endorsed by the Board as contained in the Board Agenda Item dated January 7, 2002.

Supervisor Hyland seconded the motion.

Following discussion, with input from Tom Biesiadny, Head, Coordination and Funding Section, Department of Transportation, the question was called on the motion, which carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn being out of the room.

18. **A-4 – APPROVAL OF THE FISCAL YEAR (FY) 2002 FOREST PEST MANAGEMENT SUPPRESSION PROGRAM** (Tape 4)

Supervisor Hyland moved that the Board concur in the recommendation of staff and direct staff to take actions concerning Fairfax County's FY 2002 Forest Pest Management Suppression Program as outlined in the Board Agenda Item dated January 7, 2002. Supervisor Connolly seconded the motion.

Supervisor Hudgins asked unanimous consent that the Board direct staff to provide a key to the numbers on the map that was provided in the Board Agenda. Without objection, it was so ordered.

Following discussion, with input from Troy Shaw, Coordinator, Forest Pest Management Suppression Program, Department of Public Works and Environmental Services, the question was called on the motion, and it carried by unanimous vote.

19. **C-1 – APPEAL OF SECTION 15.2-2232 DETERMINATION - 2232-P00-13, VERIZON WIRELESS (PROVIDENCE DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated January 7, 2002, regarding the appeal by Verizon Wireless (formerly Bell Atlantic Mobile, Incorporated) of a 2232 Review determination by the Planning Commission that the existing telecommunications facility established by Verizon Wireless within the Virginia Department of Transportation right-of-way along Interstate 66 near Grovemore Lane in Merrifield is not substantially in accord with the adopted Comprehensive Plan.

Supervisor Connolly stated that the applicant withdrew his appeal.

20. **I-1 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-H00-39, VOICESTREAM WIRELESS (HUNTER MILL DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated January 7, 2002, announcing the Planning Commissions approval of Public Facilities Application 2232-H00-39.

21. **I-2 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-D01-4, LCC INTERNATIONAL (DRANESVILLE DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated January 7, 2002, announcing the Planning Commissions approval of Public Facilities Application 2232-D01-4.

22. **I-3 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-V01-25, KSI (MOUNT VERNON DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated January 7, 2002, announcing the Planning Commissions approval of Public Facilities Application 2232-V01-25.

23. **I-4 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-H01-19, VERIZON WIRELESS, ATTWS, AND NEXTEL COMMUNICATIONS (HUNTER MILL DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated January 7, 2002, announcing the Planning Commissions **denial** of Public Facilities Application 2232-H01-19.

24. **I-5 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-S01-24, SPRINT PCS (SPRINGFIELD DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated January 7, 2002, announcing the Planning Commissions approval of Public Facilities Application 2232-S01-24.

25. **I-6 – CONTRACT AWARD - OPEN-END PROFESSIONAL SERVICES** (Tape 4)

The Board next considered an item contained in the Board Agenda dated January 7, 2002, requesting authorization for staff to award open-end Professional Services contracts as follows:

- Multi-Discipline Architectural and Engineering Services - Each firm in the amount not to exceed \$300,000
 - Burgess and Niple, Limited, Chantilly, Virginia
 - Buchart Horn, Incorporated, Leesburg, Virginia
 - Studio 3 Architects, McLean, Virginia
 - Paciulli, Simmons and Associates, Fairfax, Virginia
- Landscape Architect Services - Each firm in the amount not to exceed \$250,000
 - G. E. Fielder and Associates, Chartered, Laurel, Maryland
 - Lardner/Klein, Landscape Architects, PC, Alexandria, Virginia
 - Lewis Scully Gionet, Incorporated, Vienna, Virginia

- Patton, Harris, Rust and Associates, Chantilly, Virginia
- Rhodeside and Harwell, Incorporated, Alexandria, Virginia
- Landscaping and Surveying Services - Each firm in the amount not to exceed \$100,000
 - The Engineering Groupe, Incorporated, Woodbridge, Virginia
 - Paciulli Simmons and Associates, Limited, Fairfax, Virginia
 - Rice Associates, Chantilly, Virginia
- Streamline Stabilization Design Services - Each firm in the amount not to exceed \$250,000
 - Williamsburg Environmental Group, Incorporated, Williamsburg, Virginia
 - Greenhorne and O'Mara, Incorporated, Fairfax, Virginia
 - Environmental Quality Resources, LLC, Gaithersburg, Maryland

Following discussion in which the Board expressed appreciation to staff for this action, the staff was directed administratively to proceed as proposed.

26. **I-7 – CONTRACT AWARD – DESIGN SERVICES FOR ATHLETIC FIELD DEVELOPMENT AT WAKEFIELD PARK (BRADDOCK DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated January 7, 2002, requesting authorization for staff to award a contract to Dewberry and Davis in the amount of \$125,390 for design services for athletic field improvements and parking at Wakefield Park. This is part of Project 005007, in Fund 303, General County Construction.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

DS:ds

27. **NATIONAL INFANT IMMUNIZATION MONTH** (Tape 5)

Chairman Hanley said the month of April is National Infant Immunization month. While Fairfax County has an 80 percent compliance rate for this important area of public health, as a commitment to all children the Board needs to encourage all County residents to take advantage of timely childhood immunizations.

Therefore, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to invite representatives from the Health Department and the Health Care Advisory Board to appear before the Board on April 8, 2002, to receive a proclamation declaring April as Immunization Month in Fairfax County. Supervisor Connolly seconded the motion and it carried by unanimous vote.

28. **AFRICAN-AMERICAN HISTORY MONTH** (Tape 5)

Chairman Hanley said traditionally, the month of February is nationally recognized as African American History Month. In conjunction with federal observances, the Office of Equity Programs requests that Fairfax County observe February as African-American History Month.

Accordingly, Chairman Hanley moved that the Board direct staff to invite representatives from the African American community and the Office of Equity Programs to appear before the Board at its January 28, 2002, meeting to receive a proclamation declaring February as African-American History Month in Fairfax County. Supervisor Connolly seconded the motion and it carried by unanimous vote.

29. **AUDIT COMMITTEE SCHEDULE FOR 2002** (Tape 5)

(BACs) Chairman Hanley distributed to the Board a copy of the Audit Committee's meeting schedule for calendar year 2002.

30. **NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT (NVSWCD) ANNUAL SEEDLING SALE** (Tape 5)

Chairman Hanley said it is that time of year again when the NVSWCD has its annual seedling sale that provides an inexpensive source of tree seedlings for County residents. For 2002, the theme is "Flowers and Fruits," a seedling package to make the landscape wildlife-friendly, fragrant, and visually appealing.

Chairman Hanley asked unanimous consent that the Board direct the Office of Public Affairs to publicize the information, including, on the County's web site, as they have so effectively done in past years. Without objection, it was so ordered.

31. **STATE PROGRAM TO BETTER PUBLICIZE STREAMS AND WATERSHEDS** (Tape 5)

Chairman Hanley said the Virginia Department of Transportation (VDOT) and the Virginia Department of Conservation and Recreation (DCR) have recently initiated a program in which combination signs over Virginia's highway bridges will give not only the name of the waterway being crossed but will include the stream's watershed name as well. Watersheds are all those lands that drain into a particular water body. Watersheds are interconnected, with watersheds for smaller streams making up the watershed for larger bodies of water. Understanding this concept is important to protecting water quality.

Chairman Hanley said that DCR is working with VDOT to identify key sign locations on the state's interstates and primary roads and will pay to have existing signs replaced with new combination signs. As interstate and primary road waterway signs are replaced through normal maintenance, combination signs will be used where right-of-way availability allows. This will also be done on secondary roads in counties that pass a resolution requesting the new signs.

Therefore, Chairman Hanley asked unanimous consent that the Board:

- Direct staff to draft a resolution for Board approval to be sent to VDOT and DCR requesting that all bridge signs on secondary roads in the County be replaced through normal maintenance by combination signs stating both the stream name and the watershed name.
- Be notified when a sign is replaced.
- Receive reaffirmation that the cost of the sign will be a State expense.

Supervisor Connolly and Supervisor Kauffman jointly seconded the motion and it carried by unanimous vote.

32. **TUBERCULOSIS (TB) REPORT** (Tape 5)

Chairman Hanley distributed to the Board a copy of an article from the *Times-Dispatch* about TB being on the rise in the County, and said that this is an issue of great concern.

Therefore, Chairman Hanley asked unanimous consent that the Board direct staff to provide a report on this issue and what is being done to address it. Without objection, it was so ordered.

Supervisor Connolly asked unanimous consent that the Board direct staff to include in the report the growing problem of drug resistance to TB. Without objection, it was so ordered.

33. **ELECTRICITY** (Tape 5)

Chairman Hanley distributed copies of an article from the *Daily Press* regarding electricity.

Chairman Hanley said she understands that the State Corporation Commission (SCC) has made a ruling on the letter the County sent regarding electric restructuring. Therefore, she asked unanimous consent that the Board direct staff to provide the results from SCC. Without objection, it was so ordered.

34. **MUNICIPAL CABLE SYSTEMS** (Tape 5)

Chairman Hanley called the Board's attention to a memorandum from Ronald B. Mallard, Director, Department of Cable Communications and Consumer Protection, dated December 26, 2001, with the subject "Response to Board Inquiry Regarding Municipal Cable Systems." She noted that staff had not specifically responded to the Bristol, Virginia case.

With reference to the Winter 2002 edition of *Virginia Issues and Answers – A Public Policy Forum* published by Virginia Tech that cited the Bristol case, Chairman Hanley asked unanimous consent that the Board direct staff to provide the Board with the impact on telecommunications should the Bristol case be upheld on appeal. Without objection, it was so ordered.

35. **DULLES CORRIDOR TRANSIT** (Tape 5)

Chairman Hanley distributed copies of the Dulles Corridor Transit Project study and highlighted key points. Discussion ensued.

Following discussion, Chairman Hanley asked unanimous consent that the Board direct the County Executive to provide for the next Board meeting the revised schedule for the project. Without objection, it was so ordered.

Supervisor Hudgins moved that the Board direct staff to draft a letter to the project team expediting the review process so that the schedule does not continue to be delayed.

Discussion ensued with input from Anthony H. Griffin, County Executive.

Chairman Hanley seconded the motion.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to organize a full briefing before the Board's Transportation Committee to include the following:

- The reasons for the delay.
- The cause of the delay.
- The outstanding issues relating to this project.
- A review of the 1996 study to determine whether the assumptions are still valid.

Supervisor Frey asked unanimous consent that the Board direct staff to analyze the cost impacts and projections for the tax district and other available financing mechanisms for this project. Without objection, it was so ordered.

Supervisor Connolly asked to amend the motion that the Board direct staff to organize a special Transportation Committee meeting. This was accepted.

Following further discussion, Supervisor Connolly clarified that his amendment to the motion included the issues suggested by Supervisor Mendelsohn.

Following further discussion, the question was called on the motion, as amended, and it carried by unanimous vote.

Chairman Hanley suggested that staff invite KPMG representatives (who performed the study) to attend to discuss the ridership estimates.

Discussed continued briefly.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

36. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR MR. THOMAS DAVIS RUST** (Tape 5)

Supervisor Mendelsohn said that the Honorable Thomas Davis Rust has served as the Mayor of Herndon for a total of 19 years. In addition to his years as mayor, Mr. Rust served on the Herndon Town Council for five years and has served on numerous county and regional boards, authorities, and commissions, including the Northern Virginia Regional Commission and the Transportation Coordinating Council. He has resigned his position as Mayor of Herndon, but will continue to serve the County and Herndon as a Delegate in the Virginia General Assembly.

Supervisor Mendelsohn said that Mr. Rust is well known to all the Board members and his knowledge in the areas of transportation and education, to name a few, has been an asset to Northern Virginia, the County, and the Town of Herndon.

Therefore, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to invite Mr. Rust to appear before the Board to be recognized for his many years of service to the Town of Herndon and the County and to further recognize his new role as Delegate in the Virginia General Assembly. Without objection, it was so ordered.

37. **STATUS OF WOODROW WILSON BRIDGE** (Tape 5)

Supervisor Hyland said that at a recent briefing to public officials, it became apparent that the Woodrow Wilson Bridge Project was moving into new construction phases which would mean that changes would soon begin to be seen and experienced by motorists and citizens.

Supervisor Hyland moved that the Board direct staff to provide a presentation on the status of the bridge project. Supervisor Kauffman seconded the motion and it carried by unanimous vote.

38. **ONE CENT INCREASE IN LOCAL SALES TAX** (Tape 5)

Supervisor Hyland called the Board's attention to a copy of a resolution which was adopted by the General Council of the Mount Vernon Council of Citizen's Associations recommending actions proposed for the local sales tax for education and transportation and requested that the Board receive it in support of the Legislative Program.

39. **REAL ESTATE TAX RELIEF PROGRAM** (Tape 5)

Supervisor Hyland called the Board's attention to a copy of a resolution from the Mount Vernon Council regarding a proposed amendment to the Real Estate Tax Relief Program.

Accordingly, Supervisor Hyland asked unanimous consent that the Board direct staff to review the resolution and report with recommendations. Without objection, it was so ordered.

40. **RESOLUTION FOR "QUICK FIX" PROGRAM** (Tape 5)

Supervisor Hyland called the Board's attention to a resolution from the Mount Vernon Council regarding a "Quick Fix" Program to improve pedestrian safety.

Supervisor Hyland asked unanimous consent that the Board refer this matter to staff for review and recommendation as to what can be done to accomplish the Council's request. Without objection, it was so ordered.

41. **REQUEST FOR INSTALLATION OF MULTIWAY STOP SIGN AT FERRY LANDING ROAD AND FOREST HAVEN DRIVE** (Tape 5)

Supervisor Hyland said that he has received a formal request from the president of the Mount Vernon Civic Association for installation of a multi-way stop sign at Ferry Landing Road and Forest Haven Drive.

Supervisor Hyland said the letter indicated that a meeting of local citizens was held prior to the civic association at which time a petition containing more than 250 signatures indicating neighborhood support for the multiway stop sign was presented.

Therefore, Supervisor Hyland moved that the Board refer this matter to staff for immediate action. Chairman Hanley seconded the motion and it carried by unanimous vote.

42. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR MR. MACK RHOADES** (Tape 5)

Supervisor Hyland said that every once in a while, elected officials have the fortunate experience of witnessing community leadership which goes above and beyond the norm. One such individual he has had the privilege of knowing is Mack Rhoades, President of the Huntington Community Association.

It became very apparent when Mr. Rhoades first took office that his role was not merely to fill a position. He was committed to making a difference in his community. He did this through hard work mobilizing others to join with him in the effort of making his neighborhood one which would show a significant improvement.

One of the notable areas of his association's success is that of the Neighborhood Volunteer Pilot Program. Through his commitment and personal involvement, he and his "core group of 10" continue to work with staff to make a real difference in their community. They not only use the tools they were taught, but go the extra measure to help neighbors who are either financially or physically unable to improve their individual properties.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to invite Mr. Mack Rhoades and his association officials to appear before the Board for special recognition of their contribution to the betterment of their neighborhood. Without objection, it was so ordered.

43. **PUBLIC HEARING DATE FOR REZONING APPLICATION RZ 2001-MV-039 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 2000-MV-057** (Tape 5)

Supervisor Hyland said that he received a letter from the attorney for the Lorton Town Center development requesting that the Board schedule a public hearing on March 18, 2002, for Rezoning Application RZ-2001-MV-039 and Proffered Condition Amendment Application PCA 2000-MV-057.

The purpose of Rezoning Application RZ-2001-MV-039 and Proffered Condition Amendment Application PCA 2000-MV-057 is to add two affordable dwelling units to the development, incorporate the smaller rezoning property into the larger Lorton Valley South development, and create a new design for affordable dwelling units to be handicap accessible.

That work is now complete. It has the support of the Federation of Lorton Communities support, the staff of the Department of Housing and Community Development, and the staff of the Department of Planning and Zoning.

Therefore, Supervisor Hyland moved that the Board direct staff to schedule the public hearing on Rezoning Application RZ-2001-MV-039 and Proffered Condition Amendment Application PCA 2000-MV-057 to be held before the Board on March 18, 2002. Supervisor Mendelsohn seconded the motion and it carried by unanimous vote.

44. **REQUEST FOR PUBLIC HEARING FOR NATIONAL CAPITAL LAND AND DEVELOPMENT** (Tape 5)

Supervisor Gross said that National Capital Land and Development has filed a Rezoning Application for property located near Bailey's Crossroads, at Tax Maps 61-2 ((1)) Lots 107, 109, 110, and 113B, and 61-4 ((1)) Lot 115. To facilitate the process, the applicant has requested that the public hearings be expedited and the site plan be reviewed concurrently.

Therefore, Supervisor Gross moved that the Board direct staff to schedule the Planning Commission and Board public hearings as soon as possible and to process the site plan associated with the application concurrently. This motion should not be construed as a favorable recommendation on the special exception application by the Board, and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards in any way. Supervisor Connolly seconded the motion and it carried by unanimous vote.

45. **REQUEST FOR PROCLAMATION COMMEMORATING GIRL SCOUTS' NINETIETH ANNIVERSARY** (Tape 5)

Supervisor Gross said it was nearly 90 years ago that Juliette Gordon Low called a friend and said "Come right over. I've got something for you and all the girls of Savannah, and all the girls of America, and we're going to start tonight." That was March 12, 1912. From those few girls in that first troop, Girl Scouting now encompasses millions of girls and adult volunteers in thousands of troops across the country, including the County.

Therefore, Supervisor Gross moved that the Board direct staff to invite Jan Verhage, Executive Director of the Girl Scout Council of the Nation's Capital, and other Girl Scouts from the County to appear before the Board on March 4, 2002, to receive a proclamation commemorating Girl Scouting's Ninetieth Anniversary. Supervisor Connolly seconded the motion.

Supervisor Mendelsohn reminded the Board that Girl Scout cookies are now available to order and that on behalf of his daughter he had an order form with him today.

The question was called on the motion, which carried by unanimous vote.

46. **NAME CHANGE FOR ANIMAL CARE AND CONTROL COMMITTEE** (Tape 5)

(BACs) Supervisor Gross stated that she had received an email from the chairman of the Animal Care and Control Committee. It is considered changing its bylaws and name. The new name would be the Animal Services Advisory Commission.

Accordingly, Supervisor Gross moved that the Board refer this issue to staff for a quick turnaround on a name change. This motion, the second to which was inaudible, carried by unanimous vote.

47. **RETIREMENT OF MR. DONALD M. SWEIG** (Tape 5)

Supervisor Gross announced that Mr. Donald M. Sweig who has served the County for 27 years as an historian, is retiring on January 11, 2002. Accordingly, she moved that the Board direct staff to invite Mr. Sweig to appear before the Board to receive a certificate of recognition upon the occasion of his retirement. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Connolly asked unanimous consent that the Board direct the County Executive to report on the plans to replace Mr. Sweig. Without objection, it was so ordered.

48. **REQUEST FOR RESTRICTED PARKING DISTRICT (RPD) ON SEQUOIA LEA DRIVE** (Tape 5)

Supervisor McConnell stated that Sequoia Lea Drive serves an enclosed community off Union Mill Road within Little Rocky Run. Residents of Sequoia Lea Drive have requested consideration to establish a RPD because their community has become inundated with camper trailers, motor homes, and boat trailers. There are approximately 100 homes in this community, but they do not meet the minimum criteria of the ordinance which stipulates that there be either 5000 linear feet of street or five blocks including both sides of the street (ten block faces) for an RPD District. This district would include all of the properties that access Sequoia Lea Drive and extends from Union Mill Road to the end of the cul-de-sac. The residents would then be allowed to gather petition signatures, as well as meet all of the other requirements, before this district could be established.

Therefore, Supervisor McConnell moved that the Board waive the minimum size requirement for the proposed Sequoia Lea RPD. Supervisor Connolly seconded the motion, which carried by unanimous vote.

49. **CONCURRENT AND EXPEDITED PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 01-S-028, GESHER DAY SCHOOL** (Tape 5)

Supervisor McConnell said that Geshar Jewish Day School of Northern Virginia has filed Special Exception Application SE 01-S-028 for property located on Shirley Gate Road. The Planning Commission hearing has been deferred to allow for the processing of a modification to median break standards. In the interim, the applicant has asked for the ability to concurrently process a site plan.

Accordingly, Supervisor McConnell moved that the Board direct the Director of the Department of Public Works and Environmental Services to accept for concurrent and simultaneous processing a site plan, architectural plans, and any other documentation as may be necessary in conjunction with Special Exception Application SE 01-S-028. Supervisor Gross seconded the motion and it carried by unanimous vote.

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50. **RESTON YOUTH FOOTBALL ASSOCIATION** (Tape 6)

Supervisor Hudgins announced that the Reston Youth Football Association is very proud of the outstanding season experienced by the Anklebiter team last season. She said that the team, parents, and the volunteers, who were instrumental in helping the team end the season undefeated, deserve recognition for their outstanding victory. The team of seven and eight-year-olds was made up

of only five veterans and eleven first year players and won the Anklebiter Division III Championship on November 10, 2001.

Accordingly, Supervisor Hudgins moved that the Board direct staff to invite the Anklebiter team, parents, and the coaching staff to appear before the Board to be recognized for their outstanding winning season. Supervisor Bulova seconded the motion, which carried by unanimous vote.

51. **DOGWOOD ELEMENTARY SCHOOL UPDATE** (Tape 6)

Supervisor Hudgins announced that the rebuilding of Dogwood Elementary School is nearly complete. It will reopen on January 14, 2002, and on January 28, 2002, there will be an "Open House" for the public from 3-6 p.m.

52. **DEVELOPMENTAL DISABILITIES INCLUSION MONTH** (Tape 6)

Supervisor Bulova stated that March is the month that the Arc of Northern Virginia traditionally sets aside for a special time to celebrate the many good things that happen for people with mental retardation and other developmental disabilities when they are fully included within their communities. She announced that the Fairfax-Falls Church Community Services Board will join with the Arc of Northern Virginia and People First to host a reception for the Board in the conference center reception area prior to a Board proclamation on the subject.

Accordingly, Supervisor Bulova moved that the Board direct staff to prepare a proclamation for the March 4, 2002, Board meeting designating March 2002 as "*Development Disabilities Inclusion Month*" in Fairfax County. Supervisor McConnell seconded the motion and it carried by unanimous vote.

53. **RECOGNITION OF THE SUCCESS OF BRADDOCK DISTRICT HIGH SCHOOL SPORTS TEAMS** (Tape 6)

Supervisor Bulova announced that the following Braddock District high schools won fall sports championships:

- Robinson Secondary School Varsity Football Team: Patriot District, Regional, and State Championships
- Robinson Secondary School Golf Team: Patriot District Championship
- Robinson Secondary School Volleyball Team: Patriot District Championship
- Robinson Secondary School Girls' Cross Country Team: Patriot District and State Championships

- Robinson Secondary School Girls' Tennis Team: Patriot District Championship
- Robinson Secondary School Cheerleaders: Patriot District Championship
- Lake Braddock Secondary School Field Hockey Team: Patriot District Championship
- Lake Braddock Secondary School Girls' Tennis Team: Patriot District Championship
- Woodson High School Girls' Cross Country Team: Liberty District Championship

Accordingly, Supervisor Bulova asked unanimous consent that the Board direct staff to:

- Prepare and send to each school a certificate of recognition and congratulations on their accomplishments.
- Invite the Robinson Secondary School football and girls' cross country teams to appear before the Board in recognition of their outstanding achievements.

Without objection, it was so ordered.

54. **"FAIRFAX CARES"** (Tape 6)

Supervisor Bulova stated that "Fairfax Cares" is an extension of the County's efforts to inform and educate citizens of the County about the results of the Communities That Care Youth Survey the Board received last spring. The survey contained important data on young people's experiences with, and attitudes toward, drug and alcohol abuse, mental health/depression, and other behavior problems. Agencies of the County and School Division publicized the survey results, but she noted that these issues are important enough for discussion at the neighborhood level.

Supervisor Bulova said that "Fairfax Cares" was formed as a coordinating platform to generate a community-wide discussion of the challenges facing the area's youth and to engage the area's youths and adults to reduce risks and avoid destructive behaviors. "Fairfax Cares" is an expanding collaboration of School and County agencies as well as members of the business, faith, and civic communities. She listed the numerous participants as American Jewish Congress, America's Promise, Barrios Unidos, Community Interfaith Office, Community

Ministries of Northern Virginia, the County's Department of Systems Management for Human Resources, Fairfax Partnership for Youth, INOVA Fairfax Hospital for Children, Patton Boggs LLP, Safe and Drug Free Youth Section-Fairfax County Public Schools, School Board Member Stu Gibson, her office, and Volunteer Fairfax.

Supervisor Bulova noted that "Fairfax Cares" is attempting to secure commitments from organizations across the County to conduct at least 200 neighborhood discussions about the survey results, using a video to stimulate discussion and the "Not My Child" brochure and Resource Gateway guide to direct people to assets within the community. It is also working with other groups to encourage volunteer activities. While it is receiving substantial "in kind" services, it is also raising funds through private donations to cover printing and related costs.

Accordingly, Supervisor Bulova asked unanimous consent that the Board direct staff of the Office of Public Affairs to inform civic and neighborhood groups that "Fairfax Cares" can provide materials, speakers, and resources for a program or discussion about the youth survey. The contact is Jeff Craven at 202-457-6077 or jcraven@pattonboggs.com. Without objection, it was so ordered.

55. **TOY DRIVE** (Tape 6)

Supervisor Bulova related in verse form how County employees and citizens took action on December 24, 2001, to supply toys for children when the Toys for Tots warehouse did not have toys for over 300 families that were relying upon it for the Christmas holiday. Accordingly, she asked unanimous consent that the Board join her in thanking all of the individuals who participated in the toy campaign and direct staff to:

- Note the efforts of County employees in their personnel records.
- Send letters of appreciation to the volunteers, the Reverend Ron Christian, and participating churches.

Without objection, it was so ordered.

Discussion continued briefly.

56. **RETIREMENT OF WARREN CARMICHAEL FROM THE POLICE DEPARTMENT** (Tape 6)

Supervisor Kauffman asked unanimous consent that the Board direct staff to invite Warren Carmichael, Public Information Officer, Police Department, to appear before the Board to be recognized for his years of service upon his retirement. Without objection, it was so ordered.

57. **GET WELL WISHES FOR MS. MONICA MONGOVEN** (Tape 6)

Supervisor Kauffman announced that Monica Mongoven, Director, Permits Division, Department of Public Works and Environmental Services, is seriously ill. He asked everyone to keep her in thoughts and prayers.

58. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 01-L-024** (Tape 6)

Supervisor Kauffman announced his intent to defer, at the appropriate time later in the meeting, the public hearing on Special Exception Application SE 01-L-024 until January 28, 2002, at 4 p.m. He noted that there were problems with disclosures.

(NOTE: Later in the meeting this public hearing was formally deferred. See Clerk's Summary Item CL#72.)

59. **REQUEST FOR OUT-OF-TURN PLAN AMENDMENT FOR PROPERTY LOCATED AT 8214 AND 8218 RICHMOND HIGHWAY** (Tape 6)

Supervisor Kauffman stated that the owners of properties located at 8214 and 8218 Richmond Highway (Tax Map # 101-4-01-11A, 12) in the Lee District have requested consideration of an amendment to the Area IV Comprehensive Plan for Fairfax County.

Supervisor Kauffman said that the subject properties front on Richmond Highway and are within the "Suburban Neighborhood Areas between Hybla Valley/Gum Springs Community Business Center and the Woodlawn Community Business Center". One of the properties is zoned R-2 and the other is C-8. The request is to allow for the use of both properties and a landscape company office with associated storage/parking and retail sales of lawn equipment. A rezoning application has been filed to be considered with this request and includes both properties in a consolidated package (R-2 and C-8 to C-8).

Supervisor Kauffman noted that this use consolidates two properties – a goal of the Comprehensive Plan on Richmond Highway – for a combined and proffered use which will be tailored to complement surrounding neighbors with appropriate buffering, screening, and limitations on operations.

Accordingly, Supervisor Kauffman moved that the Board authorize an out-of-turn plan amendment for the properties located at 8214 and 8218 Richmond Highway and that the Board direct staff to process the plan amendment concurrently and expeditiously within the CRD guidelines for the pending rezoning application.

Supervisor Kauffman noted that this motion should not be construed as a favorable recommendation of this application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances,

regulations, or adopted standards in any way. Supervisor Hyland seconded the motion, which carried by unanimous vote.

60. **GOVERNOR'S HILL SUBDIVISION** (Tape 6)

Supervisor Kauffman said that an engineering error on the Governor's Hill, Section 2 Subdivision plat has resulted in six units within the development not meeting minimum setback requirements. A re-subdivision of these lots will correct the error, but will result in a minor reduction in open space of about 1,450 square feet. The staff of the Office of Site Development Services has reviewed the subdivision plat and original site plan for the property, and has indicated that with this reduction, the project will continue to be in compliance with open space requirements. To allow the approval and recordation of the revised plat for Section 2, Governor's Hill, an offer of the open space must first be made, and has been made by the developer.

Accordingly, Supervisor Kauffman moved that the Board refuse the offer of the identified portion of open space for the Governor's Hill Subdivision, as provided for in Paragraph 4 of Section 2-702(4) of the Zoning Ordinance. Supervisor Hyland seconded the motion, which carried by unanimous vote.

61. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 01-P-030** (Tape 6)

Supervisor Connolly announced his intent to defer, at the appropriate time later in the meeting, the public hearing on Special Exception Application SE 01-P-030, scheduled for 5:30 p.m., until January 28, 2002, because of a defect in the affidavit.

(NOTE: Later in the meeting this public hearing was formally deferred. See Clerk's Summary Item CL#97.)

62. **APPOINTMENT TO THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT CITIZENS ADVISORY COUNCIL** (Tape 6)

(APPT) Supervisor Connolly moved the appointment of Mr. Keil S. Green to fill the unexpired term of Ms. Leslie Persily as the Providence District Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council. Supervisor Hyland seconded the motion and it carried by unanimous vote.

63. **RECOGNITION OF CITIZEN SOLDIERS** (Tape 6)

Supervisor Connolly stated that everyone just finished a holiday season that was made most poignant by the terrible terrorist attacks of September 11, 2001. He noted that many persons traveled afar to join family and others welcomed family and friends to Northern Virginia. He said that countless numbers passed through the local airports where the resurgence of travel boosted the local economy. He

noted that none of this would have happened without the citizen soldiers of the Virginia National Guard who provided increased security at the airports. Many of the men and women of the 29th Infantry Division (Light) left their own homes and families to live in local armories during the hours they were not providing airport security.

Accordingly, Supervisor Connolly moved that the Board direct staff to send a letter of appreciation to the citizen soldiers of the 29th Infantry Division (Light) for their commitment to the nation and their service to their fellow Virginians. Supervisor McConnell seconded the motion, which carried by unanimous vote.

64. **SUPPORT PACKAGES TO ARMED SERVICES PERSONNEL** (Tape 6)

Supervisor Connolly reminded the Board that as a part of VolunteerFest in the Providence District a number of service organizations and schools prepared “We Support You” packages for American armed service personnel overseas. As a follow on to that project, members of the Pine Ridge Boy Scout Troop also collected and prepared similar packages. Through a contact with Supervisor Connolly’s staff, these 36 packages were sent directly to special operations command units deployed in the Middle East engaged directly in the War on Terrorism. The packages arrived on Christmas Eve and were a big hit with the soldiers. Supervisor Connolly congratulated all of the boy scouts who participated in that project.

65. **RECOGNITION OF MEMBERS OF THE ELECTRICAL ADVISORY BOARD, MECHANICAL ADVISORY BOARD, AND PLUMBING ADVISORY BOARD** (Tape 6)

(BACs) Supervisor Frey reminded the Board that later in the day there would be a public hearing to consider the consolidation of the Electrical Advisory Board, Mechanical Advisory Board, and Plumbing Advisory Board. Provided that action is approved following the public hearing, he asked unanimous consent that the Board direct staff to invite the members of those three boards to appear before the Board to be recognized for their service. Without objection, it was so ordered.

(NOTE: Later in the meeting, the Board held this public hearing. See Clerk’s Board Summary Item CL#78.)

66. **RECOGNITION OF MICHELLE PEYSER, PRINCIPAL OF FRANKLIN MIDDLE SCHOOL** (Tape 6)

Supervisor Frey stated that Ms. Michelle Peyser has been the principal of Franklin Middle School since 1998 and an educator in the School Division since 1978. He asserted that she has been instrumental in initiating many innovative programs promoting student achievement and finding creative ways to help students excel. She was recently named Fairfax County Public Schools Principal of the Year and has been awarded the *Washington Post* Distinguished Educational Leadership

Award. Her selection was supported by nominations from School Division teachers, administrators, colleagues, and parents.

Accordingly, Supervisor Frey moved that the Board direct staff to invite Ms. Peyser to appear before the Board to be recognized for her achievements. Supervisor Gross seconded the motion and noted that Ms. Peyser was formerly the principal at Sleepy Hollow Elementary School. The question was called on the motion, which carried by unanimous vote.

67. **APPRECIATION TO LOCAL CONGRESSMEN FOR HOUSE APPROVAL OF FUNDING TO ADDRESS EMERGENCY RESPONSE NEEDS** (Tape 6)

Supervisor Frey noted that the local Congressional Delegation to the United States Congress had been working very diligently to ensure that the needs of Northern Virginia were recognized following the September 11 terrorist attacks, including compensation for some of the expenditures of local government in the bills. He provided copies of a press release from the office of Congressman Thomas M. Davis, III which stated that the US House of Representatives gave final approval to provide Northern Virginia with more than \$105 million to help address critical emergency response needs. Fairfax County alone will receive \$12 million.

Accordingly, Supervisor Frey asked unanimous consent that the Board direct staff to draft letters of appreciation to be sent to all three local Congressmen. Following a notation by Chairman Hanley that this action might have already taken place, without objection, it was so ordered.

Discussion ensued briefly.

68. **RECESS/CLOSED SESSION** (Tape 6)

At 1:05 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section 2.1-344 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A)(1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A)(3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and

consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A)(7).

1. *John Thoburn, Renee Thoburn, and Golf Park, Inc. v. Jane W. Gwinn, Fairfax County Zoning Administrator*, Record No. 011919 (Sup. Ct. Va.) (Dranesville District)
2. *Board of Supervisors of Fairfax County, Virginia v. Board of Zoning Appeals of Fairfax County, Virginia, et al.*, At Law No. 188771 (Fx. Co. Cir. Ct.) (Dranesville District)
3. *Board of Supervisors of Fairfax County, et al. v. Board of Zoning Appeals of Fairfax County*, At Law No. 197380 (Fx. Co. Cir. Ct.) (Mason District)
4. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Susan C Beck and Louis Kobus, Jr.*, In Chancery No. 173551 (Fx. Co. Cir. Ct.) (Lee District)
5. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Calvin O. Williams*, Case No. 01-31654 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
6. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Ruby V. Fast and Garde Morris O. Johnson*, In Chancery No. 148675 (Fx. Co. Cir. Ct.) (Mount Vernon District)
7. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Magdelene A. Baskin, Nancy S. Stone, Conservator for Magdelene A. Baskin, and Keith Matheny*, In Chancery No. 172270 (Fx. Co. Cir. Ct.) (Lee District)
8. *Cooper-Page, Inc., and T. William Dowdy and Shirley Hunter, Trustees for the Benefit of Edith Hunter Hornberger v. Board of Zoning Appeals of Fairfax County, Virginia, Board of Supervisors for the County of Fairfax, Virginia, and the County of Fairfax*,

Virginia, In Chancery No. 175800 (Fx. Co. Cir. Ct.) (Mount Vernon District)

9. *Jane W. Gwinn, Fairfax County Zoning Administrator v. John T. Morrissey*, In Chancery No. 175624 (Fx. Co. Cir. Ct.) (Mason District)
10. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Jose V. and Ana L. Caballero*, In Chancery No. 175770 (Fx. Co. Cir. Ct.) (Lee District)
11. *Jane W. Gwinn, Fairfax County Zoning Administrator v. William J. Chavez*, In Chancery No. 175680 (Fx. Co. Cir. Ct.) (Mason District)
12. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Brian L. Kelly*, In Chancery No. 175861 (Fx. Co. Cir. Ct.) (Providence District)
13. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Ardon E. Nichols, II*, Case No. 01-27150 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
14. *Board of Supervisors v. Kenney Builders, Inc., et al.*, At Law No. 200141 (Fx. Co. Cir. Ct.) (Dranesville District)
15. *Board of Supervisors v. Batman/McNair Associates, L.P., et al.*, At Law No. 200417 (Fx. Co. Cir. Ct.) (Hunter Mill District)
16. *Board of Supervisors v. Batman/McNair Associates, L.P., et al.*, At Law No. 211418 (Fx. Co. Cir. Ct.) (Hunter Mill District)
17. *Board of Supervisors v. Batman Co., Inc., et al.*, At Law No. 200740 (Fx. Co. Cir. Ct.) (Hunter Mill District)
18. *Board of Supervisors v. Batman Co., Inc., et al.*, At Law No. 200771 (Fx. Co. Cir. Ct.) (Hunter Mill District)

19. *Board of Supervisors v. Village Market at Dulles Associates, L.P., et al.*, At Law No. 200290 (Fx. Co. Cir. Ct.) (Hunter Mill District)

And in addition:

- Brandy Lievan, et al., versus the Board of Zoning Appeals of Fairfax County, Virginia et al., At Law Number 180317 Jane W. Gwinn, Fairfax County Zoning Administrator, versus Lievan, et al, In Chancery Number 162183
- Proposed amendments to *Virginia Code* §15.2-4603(c)
- Commonwealth of Virginia State Board of Elections versus Fairfax County Electoral Board
- *Virginia Code* §15.2-1717.1

The second to this motion was inaudible.

Chairman Hanley announced that should this motion carry, closed session would begin at 1:20 p.m.

The question was called on the motion, which carried by unanimous vote.

DMB:dmb

At 3:30 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM CLOSED SESSION

69. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 7)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

AGENDA ITEMS

70. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-V-033 (F&M TRUST COMPANY, THOMAS H. KIRK, TRUSTEE) (MOUNT VERNON DISTRICT)** (Tape 7)

The application property is located at 1208 I Street, Tax Map 93-2 ((8)) (44) 39 and 40.

Mr. Robert D. Audet reaffirmed the validity of the affidavit for the record.

Mr. Audet had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Mavis Stanfield, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hyland moved approval of Special Exception Application SE 01-V-033, subject to the development conditions dated December 20, 2001. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Bulova being out of the room.

71. **3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 79-S-119-3 (KENNETH H. AND WILLIAM M. BECKER) (SULLY DISTRICT)** (Tape 7)

The application property is located on the west side of Lee Road approximately 200 feet north of its intersection with Penrose Place, Tax Map 34-3 ((3)) A3.

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 79-S-119-3, subject to the proffers dated November 14, 2001. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Bulova and Chairman Hanley being out of the room.

72. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-L-024 (KINGSTOWNE TOWN CENTER, LP) (LEE DISTRICT)** (Tape 7)

Supervisor Kauffman moved to defer the public hearing on Special Exception Application SE 01-L-024 (Kingstowne Town Center, LP) until **January 28, 2002, at 4 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova and Chairman Hanley being out of the room.

73. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-H-027 (TRIZECHAHN RESTON II, LLC) (HUNTER MILL DISTRICT)** (Tape 7)

The application property is located at 12000 Sunrise Valley Drive, Tax Map 17-3 ((8)) 1B.

Mr. Frederick R. Taylor reaffirmed the validity of the affidavit for the record.

Mr. Taylor had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Fran Burnszynski, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved approval of Special Exception Application SE 01-H-027, subject to the development conditions dated December 13, 2001.

Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova and Chairman Hanley being out of the room.

74. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, ESTABLISHING THE WEST POTOMAC RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 36 (MOUNT VERNON DISTRICT)** (Tape 7)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and December 27, 2001.

Following the public hearing, which included testimony by six speakers, extensive discussion ensued. Vice-Chairman Hyland relinquished the Chair to Acting-Chairman McConnell and moved to defer decision on the proposed amendments until later in the meeting. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova and Supervisor Hudgins being out of the room.

Acting-Chairman McConnell returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting the Board took action on this item. See Clerk's Summary Item CL#82.)

75. **3:30 P.M. – PH ON PROFFER CONDITION AMENDMENT APPLICATIONS PCA 85-S-013-3 AND PCA 84-S-027-6 AND SPECIAL EXCEPTION APPLICATION SE 01-Y-040 (SULLY STATION, LLC) (SULLY DISTRICT)** (Tapes 7-8)

The Proffered Condition Amendment Application PCA 85-S-013-3 property is located on the east side of Westfields Boulevard, approximately 1000 feet west of Route 274, Tax Map 44-3 ((7)) B3 pt.

The Proffered Condition Amendment Application PCA 84-S-027-6 property is located in the northeast quadrant of the intersection of Westfields Boulevard and Sequoia Farms Drive, Tax Map 44-3 ((7)) B3 pt.

The Special Exception Application SE 01-Y-040 property is located at 5051 - 5149 Westfields Boulevard, Tax Map 44-3 ((7)) B3.

Mr. David C. Stewart reaffirmed the validity of the affidavit for the record.

Mr. Stewart had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by three speakers followed by extensive discussion, Denise Thomas, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Following additional discussion, Supervisor Frey moved approval of Proffered Condition Amendment Applications PCA 85-S-013-3 and PCA 84-S-027-6, subject to the proffers dated December 5, 2001. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor Hudgins, and Supervisor Mendelsohn being out of the room.

Supervisor Frey moved:

- Approval of Special Exception SE 01-Y-040, subject to the proposed development conditions dated December 6, 2001, amended to delete the word "emergency" in condition number 11.
- Reaffirmation of the modification of the transitional screening requirements as previously adopted under PCA 84-S-027-3.

Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor Hudgins, and Supervisor Mendelsohn being out of the room.

76. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, EXPANDING THE GRAHAM RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 34 (PROVIDENCE DISTRICT)** (Tape 8)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and December 27, 2001.

Following the public hearing, which included testimony by two speakers, Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, expanding the Graham RPPD, District 34. The proposed District includes the following street blocks:

- Graham Road (Route 1720) from Graham Court North Intersection (Route 2335) to Terry Lane (Route 2385)
- Fenwick Road (Route 1781) from Arlington Boulevard (Route 50) to Lawrence Drive (Route 1781)
- Rogers Drive (Route 1774) from Lawrence Drive to Allen Street (Route 2470)
- Rogers Drive from Allen Street to Elmwood Drive (Route 1780)

Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Hyland and Supervisor Mendelsohn being out of the room.

77. **3:30 P.M. – PH ON A PROPOSAL TO VACATE A PORTION OF STEUBEN PIKE (SPRINGFIELD DISTRICT)** (Tape 8)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and December 27, 2001.

Following the public hearing, Supervisor McConnell moved adoption of the ordinance vacating Stueben Pike. Supervisor Frey seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly,

Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Hyland and Supervisor Mendelsohn being out of the room.

78. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 61 (BUILDING PROVISIONS), CHAPTER 64 (MECHANICAL PROVISIONS), CHAPTER 65 (PLUMBING AND GAS PROVISIONS), AND CHAPTER 66 (ELECTRICAL PROVISIONS) REGARDING MODIFICATION OF THE OFFICE OF BUILDING CODE SERVICES FEE SCHEDULE AND CONSOLIDATION OF THE ELECTRICAL, MECHANICAL, AND PLUMBING ADVISORY BOARDS** (Tape 8)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* (BACs) showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and December 27, 2001.

Following the public hearing, Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 61 (Building Provisions), Chapter 64 (Mechanical Provisions), Chapter 65 (Plumbing and Gas Provisions), and Chapter 66 (Electrical Provisions) regarding modification of the Office of Building Code Services fee schedule, and consolidation of the Electrical, Mechanical, and Plumbing Advisory Boards. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Hyland and Supervisor Mendelsohn being out of the room.

79. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, ESTABLISHING THE ANNANDALE TERRACE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 37 (BRADDOCK DISTRICT)** (Tape 8)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and December 27, 2001.

Following the public hearing, which included testimony by five speakers, discussion ensued with input from Christopher D. Wells, Planner, Department of Transportation.

Following discussion, Supervisor Bulova moved:

- Adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, establishing the Annandale Terrace RPPD, District 37. The proposed District includes the following street blocks:
 - McWhorter Place (Route 3087) from Weyburn Drive (Route 3059) to Medford Drive (Route 2249)
 - McWhorter Place from Medford Drive to the east end
 - Medford Drive from McWhorter Place to Madeira Place (Route 3094)
 - Weyburn Drive from McWhorter Place to Weyburn Court (Route 3073)
 - Weyburn Court from Weyburn Drive to the end.
- That the parking restrictions be in effect during the overnight hours, between 10 p.m. and 10 a.m.

Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn being out of the room.

80. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, ESTABLISHING THE JEB STUART RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 38 (MASON DISTRICT)** (Tape 8)

(O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and December 27, 2001.

Following the public hearing, which included testimony by two speakers, discussion ensued with input from Christopher D. Wells, Planner, Department of Transportation.

Following discussion, Supervisor Gross moved:

- Adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, establishing the JEB Stuart RPPD, District 38. The proposed District includes the following street blocks:
 - Peace Valley Lane (Route 1976) from Colmac Drive (Route 3209) to Cheryl Drive (Route 2579)
 - Peace Valley Lane from Cheryl Drive to Diamond Drive (Route 2574)
 - Peace Valley Lane from Diamond Drive to the south end
 - White Street (Route 1871) from Cheryl Drive North Intersection to Colmac Drive
 - White Street from Colmac Drive to Cheryl Drive South Intersection
 - Colmac Drive from Peace Valley Lane to White Street
 - Cheryl Drive from Peace Valley Lane to White Street
 - Diamond Drive from Peace Valley Lane to Faragut Court (Route 1955)
 - Diamond Drive from Faragut Court to Military Drive (Route 1975)
 - Diamond Drive from Military Drive to Patrick Henry Drive (Route 2327)
 - Faragut Court from Diamond Drive to the end
 - Military Drive from Diamond Drive to Patrick Henry Drive
- That the parking restrictions be in effect on school days, 8 a.m. to 3:30 p.m.

Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Frey and Supervisor Mendelsohn being out of the room.

81. **ORDERS OF THE DAY** (Tape 8)

Chairman Hanley announced that there would be a change in the Orders of the Day and that the Board would proceed with the decision regarding the West Potomac Residential Permit Parking District.

82. **BOARD DECISION ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, ESTABLISHING THE WEST POTOMAC RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 36 (MOUNT VERNON DISTRICT)** (Tape 8)

(O) (NOTE: Earlier in the meeting decision on this public hearing was deferred. See Clerk's Summary Item CL#74).

Supervisor Hyland moved:

- Adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, establishing the West Potomac RPPD, District 36. The proposed District includes the following street blocks:
 - Oak Drive (Route 1410) from Dawn Drive (Route 1432) to Fleming Street (Route 1433)
 - Fleming Street from the east end to Oak Drive
 - Fleming Street from Oak Drive to Beddoo Street (Route 1472)
- That the parking restrictions be in effect school days, 8 a.m. to 3:30 p.m.

Supervisor McConnell seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Hyland, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Bulova, Supervisor Connolly, Supervisor Gross, and Supervisor Mendelsohn being out of the room.

Supervisor Hyland moved to defer decision until May 20, 2002, on the remaining street blocks:

- Oak Drive from Fleming Street to Beacon Hill Road (Route 1510)
- Fleming Street from Beddoo Street to the west end

Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, and Supervisor Mendelsohn being out of the room.

83. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-Y-026 (RGK REAL ESTATE DEVELOPMENT LLC) (SULLY DISTRICT)**
(Tape 8)

The application property is located in the northeast quadrant of the intersection of McLearn Road and Centreville Road, Tax Map 25-3 ((1)) 23B.

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Fran Burnszynski, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved:

- Approval of Special Exception Application SE 01-Y-026, subject to the development conditions dated January 4, 2002.
- Approval of the waiver of the minimum lot size requirement.

Supervisor McConnell seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Gross, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

SBE:sbe

84. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-S-003 (FEDERATED DEPARTMENT STORES, INCORPORATED) (SPRINGFIELD DISTRICT) [FORMERLY SULLY DISTRICT]** (Tape 9)

Supervisor McConnell moved that the Board defer the public hearing on Special Exception Application SE 01-S-003 until **January 28, 2002, at 3 p.m.** Chairman Hanley seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Gross, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

85. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-P-019 (CLIFTON PAUL AND NANCY CAROL CRAVEN) (PROVIDENCE DISTRICT)** (Tape 9)

Chairman Hanley announced that this public hearing would be deferred until later in the meeting. See Clerk's Summary Item CL#87.)

86. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING PLANT NURSERIES** (Tape 9)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 20 and December 27, 2001.

Discussion ensued with input from Donna Pesto, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning.

Following the public hearing, which included testimony by four speakers, Supervisor Connolly moved adoption of proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding plant nurseries with the changes shown in red on pages three and four of the proposed amendment as amended by the Planning Commission dated November 29, 2001, with one additional change:

- On page three, change twenty-five (25) percent to twenty (20) percent on line 22.

Supervisor Bulova seconded the motion.

Following discussion with input from Ms. Pesto, the question was called on the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hyland being out of the room.

87. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-P-019 (CLIFTON PAUL AND NANCY CAROL CRAVEN) (PROVIDENCE DISTRICT)** (Tape 9)

The application property is located at 9023 Arlington Boulevard, Tax Map 48-4 ((1)) 44.

Mr. Clifton Paul Craven reaffirmed the validity of the affidavit for the record.

Mr. Craven had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Cathy Lewis, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Discussion ensued with input from Cathy Lewis, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, (DPZ).

Supervisor Connolly moved to defer decision on Special Exception Application SE-01-P-019 until later in the meeting. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

(NOTE: Later in the meeting, the Board took action on this item. See Clerk's Summary Item CL#101.)

88. **4:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 86-P-104-3 (SPACENET REAL ESTATE HOLDINGS, LLC) (PROVIDENCE DISTRICT)** (Tape 9)

The application property is located at 1750 Old Meadow Road, Tax Map 29-4 ((6)) 100A.

Ms. Meagan E. Micozzi reaffirmed the validity of the affidavit for the record.

Ms. Micozzi had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Charles Burnham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved:

- Approval of Special Exception Amendment Application SEA 86-P-104-3, subject to the development conditions dated June 28, 2001.
- Reaffirmation of the waiver of the barrier requirements, subject to the development conditions dated June 28, 2001.

This motion, the second to which was inaudible, carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Gross, and Supervisor Hyland being out of the room.

89. **5 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-P-021 (CATHOLIC DIOCESE OF ARLINGTON, THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON) (PROVIDENCE DISTRICT)** (Tape 9)

The application property is located at 8601 Wolftrap Road, Tax Map 39-1 ((1)) 3 and 5.

Mr. Antonio J. Calabrese reaffirmed the validity of the affidavit for the record.

Mr. Calabrese had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by three speakers, Cathy Belgin, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved approval of Special Exception Application SE 01-P-021, subject to the development conditions dated October 24, 2001, as revised, with the following change to Development Condition 7:

- In the second paragraph, the latter half of the second sentence should read, “with evening activities permitted until 11 p.m. daily.”

This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Connolly moved:

- Waiver of the barrier requirement to the north; modification of the barrier requirement to the west and east in favor of the existing fencing; and modification of the transitional screening requirement to the north, east, and west in favor of the existing vegetation to be supplemented as shown on the special exception plat.
- Waiver of the site plan requirement for construction of frontage improvements, including curb and gutter, and to permit the sidewalk to be constructed as described in the proposed development conditions.

Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

90. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING PLANT NURSERIES** (No Tape)

(NOTE: Earlier in the meeting action was taken on this public hearing. See Clerk's Summary Item CL#86.)

91. **4:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 86-P-104-3 (SPACENET REAL ESTATE HOLDINGS, LLC) (PROVIDENCE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting action was taken on this application. See Clerk's Summary Item CL#88.)

92. **5 P.M. – PH ON REZONING APPLICATION RZ 2001-SU-033 (STANLEY-MARTIN HOMEBUILDING, LLC) (SULLY DISTRICT)** (Tapes 9-10)

Supervisor Frey moved to defer the public hearing on Rezoning Application RZ 2001-SU-033 until **January 28, 2002, at 5 p.m.** Supervisor Bulova and Supervisor Connolly jointly seconded the motion, and it carried by a vote of nine, Supervisor McConnell being out of the room.

93. **5 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-V-046 (JAMES D. TURNER, TRUSTEE) (MOUNT VERNON DISTRICT)** (Tape 10)

Supervisor Hyland moved to defer the public hearing on Special Exception Application SE 00-V-046 until **February 25, 2002, at 3 p.m.** Chairman Hanley seconded the motion, and it carried by a vote of nine, Supervisor McConnell being out of the room.

94. **5 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-P-021 (CATHOLIC DIOCESE OF ARLINGTON, THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON) (PROVIDENCE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting action was taken on this public hearing. See Clerk's Summary Item CL#89.)

95. **5 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 95-Y-016-2, REZONING APPLICATIONS RZ 2001-SU-015 AND RZ 2001-SU-016, AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 95-Y-024 (STARWOOD CERUZZI, LLC) (SULLY DISTRICT)** (Tape 10)

(Os) The Proffered Condition Amendment Application PCA 95-Y-016-2 property is located in the northeast quadrant of the intersection of Lee Road and Penrose Place, Tax Map 34-32 ((1)) 7B pt., 7C, 7D pt., 19 pt., 26, 33, and 33A.

The Rezoning Application RZ 2001-SU-015 property is located on the north side of Penrose Place, approximately 900 feet east of its intersection with Lee Road, Tax Map 34-3 ((1)) 27 - 29.

The Rezoning Application RZ 2001-SU-016 property is located on the south side of Penrose Place at its east terminus, Tax Map 34-3 ((1)) 33 pt. and 33A pt.

The Special Exception Amendment Application SEA 95-Y-024 property is located in the northeast quadrant of the intersection of Lee Road and Penrose Place, Tax Map 34-3 ((1)) 7B pt., 7C, 7D pt., 19 pt., 26 - 29, 33 pt., and 33A pt.

Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

Ms. Baker had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 95-Y-016-2, subject to the proffers dated December 20, 2001. Supervisor Hudgins seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Frey moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-SU-015, be amended from the I-3, I-5, and WS Districts to the C-8 and WS Districts, subject to the proffers

dated December 20, 2001. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell being out of the room.

Supervisor Frey moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-SU-016, be amended from the C-8 and WS Districts to the I-5 and WS Districts, subject to the proffers dated December 20, 2001. Supervisor Gross and Supervisor Hudgins jointly seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell being out of the room.

Supervisor Frey moved approval of Special Exception Amendment Application SEA 95-Y-024, subject to the development conditions dated January 7, 2002. Supervisor Gross and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Frey moved:

- Waiver of the service drive requirement along the Route 28 frontage of the site.
- Waiver of the minimum open space requirement and approval of an increase in the floor area ratio from 0.50 to 0.70.
- Waiver of the transitional screening requirement and modification of the barrier requirement to the east in favor of the treatment shown on the generalized development plan.
- Waiver of the service drive requirement along the Route 28 frontage of the site.

This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell being out of the room.

96. **5:30 P.M. – PH ON REZONING APPLICATIONS RZ 2001-SU-034 AND RZ 2001-SU-035 (MADISON HOMES, INCORPORATED) (SULLY DISTRICT)** (Tape 10)

Supervisor Frey moved to defer the public hearing on Rezoning Applications RZ 2001-SU-034 and RZ 2001-SU-035 until **January 28, 2002, at 4 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

97. **5:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-P-030 (ENTERPRISE LEASING COMPANY, D/B/A ENTERPRISE RENT-A-CAR) (PROVIDENCE DISTRICT)** (Tape 10)

Supervisor Connolly moved to defer the public hearing on Special Exception SE 01-P-030 until **January 28, 2002, at 3 p.m.** Supervisor Gross seconded the motion, and it carried by a vote of nine, Supervisor McConnell being out of the room.

98. **5:30 P.M. – PH ON REZONING APPLICATION RZ 2001-DR-036 (HUNTER DEVELOPMENT COMPANY) (DRANESVILLE DISTRICT)** (Tape 10)

- (O) The application property is generally located on the west side of Sparger Street, approximately 400 feet west of its intersection with Rector Lane, Tax Map 20-3 ((1)) 24.

Mr. Stephen K. Fox reaffirmed the validity of the affidavit for the record.

Mr. Fox had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by four speakers, Supervisor Mendelsohn moved to waive the reading of the staff and Planning Commission recommendations. This motion, the second to which was inaudible, carried by a vote of six, Supervisor Connolly, Supervisor Hudgins, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Mendelsohn moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-DR-036, be amended from the R-E District to the R-1 District, subject to the executed proffers dated December 7, 2001, consistent with those contained in Appendix 1 of the staff report. Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Mendelsohn, and Vice-Chairman Hyland voting “AYE,” Supervisor Connolly, Supervisor Hudgins, Supervisor McConnell, and Chairman Hanley being out of the room.

99. **5:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-C-063-3 (AAL ASSOCIATES, LLC) (HUNTER MILL DISTRICT)** (Tape 10)

The application property is located at 8545 Leesburg Pike, Tax Map 29-3 ((1)) 1D.

Mr. William McCauley Arnold reaffirmed the validity of the affidavit for the record.

Mr. Arnold had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Cathy Lewis, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved approval of Special Exception Amendment Application SEA 82-C-063-3, subject to the proposed development conditions dated December 20, 2001, with the deletion of condition number 14 and the renumbering of each subsequent condition. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Gross, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

100. **6 P.M. – PH REGARDING CONTRACT FOR AND THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO FAIR LAKES METROPOLITAN SQUARE, LLC AND FAIR LAKES METROPOLITAN SQUARE II, LLC (SPRINGFIELD DISTRICT)** (Tape 10)

Supervisor Hyland moved to defer the public hearing regarding contract for, and the conveyance of, County-owned property to Fair lakes Metropolitan Square, LLC, and Fair Lakes Metropolitan Square II, LLC until **January 28, 2002, at 4 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Gross, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

101. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-P-019 (CLIFTON PAUL AND NANCY CAROL CRAVEN) (PROVIDENCE DISTRICT)** (Tape 10)

(NOTE: Earlier in the meeting the Board held this public hearing and deferred decision. See Clerk's Summary Item CL#87.)

Supervisor Connolly moved:

- Approval of Special Exception Application SE 01-P-019, subject to the development conditions dated January 7, 2002. These conditions contain a specific wording change to Development Condition 24. The very last part of that condition now reads, “proposed additions rather than proposed greenhouse additions.” These Development Conditions include a list of proposed items to be sold at the plant nursery titled Exhibit A. That modified Exhibit A now includes all of the additional items handwritten by staff and in addition are florist supplies, grow lights, and thermometers.
- Modification of the transitional screening on the western and southern property lines to that described in the proposed development conditions.
- Waiver of the transitional screening and barrier requirements along the northern property line.
- Modification of the additional standard number 1B from Plant Nurseries to permit the storage, display and sales of ancillary items, to occur outside of fully enclosed structures to that described in the proposed development conditions and as shown on the special exception plan.
- Modification of Additional Standard 2, for Plant Nurseries, to permit a reduction in the minimum lot area.
- Modification of Additional Standard 3, for Plant Nurseries, to permit structures to be located within 100 feet of abutting residential districts as shown on the special exception plat.
- Waiver of the service drive requirement along Arlington Boulevard.
- Waiver the site plan, or minor site plan requirements from Article 17.201 of the Zoning Ordinance as required by the proposed Development Conditions.

Supervisor Gross seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

102. **BOARD ADJOURNMENT** (Tape 10)

At 7:20 p.m., the Board adjourned.

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